IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Bail Appl..No. 2057 of 2007()

---

Crime No.175/07 of Kayamkulam Police Station

: PETITIONER/2ND ACCUSED

---

SHAJI @ KARIOIL SHAJI, S/O SAHADEVAN,
KOLADATHU VEEDU, CHERAVALLY MURI,
KAYAMKULAM VILLAGE.

BY ADV. SRI.S.MOHANAN
SRI.R.REJI

RESPONDENTS: COMPLAINANT

---

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
REPRESENTED BY THE S.H.O,
KAYAMKULAM POLICE STATION.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

**B.A. No. 2057 OF 2007 B**

**Dated this the 10th day of April, 2007**

**O R D E R**

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the 2nd accused in Crime No.175/07 of Kayamkulam Police Station for offences punishable under Secs.452, 294(b), 323, 427 and 506(ii) read with section 34 I.P.C., seeks his enlargement on bail. Petitioner was arrested on 24.3.07.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. The case of the prosecution is that at about 3 a.m. on 17.3.07 the petitioner and three others criminally trespassed into the tea shop run by the defacto complainant and abused him and assaulted him and also destroyed the glasses of the almirah, etc. The petitioner is alleged to have threatened the defacto complainant showing a nanjak. The petitioner is also an accused in another case involving an offence punishable under section 307 IPC (Crime No.513/06 of the very same police station).

4. Having regard to the antecedents of the petitioner, his role in the occurrence, the duration of his judicial custody and the present stage of the investigation, I am inclined to grant bail to the petitioner but

only with effect from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 25.4.07 on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Kayamkulam and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

**(V. RAMKUMAR, JUDGE)**

aks